

The Creation of employment

Abstract (in English)

The topic of this dissertation is the creation of employment. Employment is undoubtedly by far the most important, and in practice, the most widely used employment relationship. Therefore, the topic of employment creation is still current, socially important and piques the interest not only of the professional but also of the general public.

Employment is the basic and also the most common employment relationship (labour relationship). It is the means through which the employer hires manpower for the execution of particular tasks, and for the employee, it is then a source of income to provide for his needs. Thus, an employment relationship represents a contractual and binding relationship in which one participant (employee) undertakes to perform paid work for the other participant (employer).

The main goal of this dissertation is a detailed analysis of the characteristics of issues related to employment in an effort to determine whether the legislation on employment meets the current needs of this legal issue. In addition it analyzes shortcomings and formulates amendments or proposals *de lege ferenda*. The structure of this dissertation also corresponds to the above stated goal.

This dissertation characterizes the position of labor law in the legal system and its relationship to civil law, deals with the issue of employment relations, the legal proceedings in employment relations, and marginally the prohibition of employment relations between spouses or partners. This paper further defines the employment relationship, its characteristic features, elements and delineates between the types of employment relationships. Of course, the legal regulation of the procedure before the commencement of the employment relationship is not neglected. The focus of this dissertation is a detailed description of the issue of establishment and formation of the employment relationship, including analysis of relevant case law. This thesis also contains a comparison of Czech and foreign (Slovak) legislations in relation to the establishment of employment relationship.

Keywords: creation of employment, contract of employment, appointment (to an office)